IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL (ST.) NO.6268 OF 2007

Khan Mohammed Sharif Noor Mohammed. .. Appellant (Orig.Plff.)

v/s.

Municipal Corporation of Greater Mumbai. .. Respondents (Orig.Defts.)

Mr.A.R. Pande for Appellant.

Mr.J.J. Xavier for Respondents.

CORAM : ROSHAN DALVI, J.

Dated : 8th June, 2007

P.C. :

1. Mr.A.R. Pande on behalf of the Appellant makes a statement that the Respondents may demolish whatever is the construction beyond what is mentioned in the photo-pass annexed to the Plaint bearing No.FSM 9 2/14, which is marked as Exhibit-5 in the evidence in the Trial Court. The Respondents' Advocate agrees that the Respondents shall demolish whatever construction is beyond the aforesaid

photo-pass/ pitch holder's card. Only the structure under the aforesaid photo-pass/pitch-holder's card is, therefore, protected.

2. The Appeal disposed of accordingly, by consent of both the Advocates.

(ROSHAN DALVI, J.)